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Attorneys for Defendant
UNUM LIFE INSURANCE COMPANY OF AMERICA

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO / OAKLAND DIVISION**

| | | |
|--------------------------------|---|--------------------------------------|
| ROGER KIRK, |) | Case No. 3:23-cv-02040-RFL |
| |) | |
| Plaintiff, |) | STIPULATION TO DISMISS ENTIRE |
| |) | ACTION WITH PREJUDICE; AND |
| vs. |) | [PROPOSED] ORDER |
| |) | |
| UNUM LIFE INSURANCE COMPANY OF |) | Judge: Hon. Rita F. Lin |
| AMERICA, |) | |
| |) | Complaint Filed: April 26, 2023 |
| Defendant. |) | |

IT IS HEREBY STIPULATED, by and between Plaintiff ROGER KIRK and Defendant UNUM LIFE INSURANCE COMPANY OF AMERICA, by and through their attorneys of record, that this action shall be dismissed in its entirety with prejudice as to all defendants pursuant to Rule 41(a) of the Federal Rules of Civil Procedure. Each party shall bear its own attorneys' fees and costs.

The Parties further stipulate and request that all dates set in this matter be vacated and taken off the Court's calendar.

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1 The Parties seek the Court's approval of the dismissal of the action with prejudice.

2 **IT IS SO STIPULATED.**

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4 Dated: November 28, 2023

Brian H. Kim
James P. Keenley
Emily A. Bolt
BOLT KEENLEY KIM LLP

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8 By: /s/ Brian H. Kim

Brian H. Kim
Attorneys for Plaintiff
ROGER KIRK

10
11 Dated: November 28, 2023

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Jonathan H. Semerjian
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14 By: /s/ Nicole Y. Blohm

Nicole Y. Blohm
Attorneys for Defendant
UNUM LIFE INSURANCE COMPANY
OF AMERICA

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19 **Filer's Attestation - Local Rule 5-1.(i)(3)**

20 The filing attorney attests that she has obtained concurrence regarding the filing of this
21 document and its content from the signatories to this document.

*****ORDER*****

Based upon the Stipulation of the Parties and for good cause shown,

IT IS HEREBY ORDERED that this action is dismissed in its entirety as to all defendants with prejudice.

IT IS HEREBY FURTHER ORDERED that all dates previously set in this matter are hereby vacated and taken off the Court's calendar.

IT IS HEREBY FURTHER ORDERED that each Party shall bear its own attorneys' fees and costs in this matter.

IT IS SO ORDERED:

Dated: Nov. 30, 2023



Hon. Rita F. Lin
United States District Judge